

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,	)	INDICTMENT	CR 13-24 ADM/LIB
	)		
Plaintiff,	)	(18 U.S.C. § 922(g)(1))	
	)	(18 U.S.C. § 924(c)(1)(A)(i))	
v.	)	(18 U.S.C. § 924(a)(2))	
	)	(18 U.S.C. § 924(d)(1))	
ZACHARI ALLEN KOZAR	)	(18 U.S.C. § 924(e))	
	)	(21 U.S.C. § 841(a)(1))	
	)	(21 U.S.C. § 841(b)(1)(C))	
Defendant.	)	(21 U.S.C. § 853)	
	)	(28 U.S.C. § 2461(c))	

THE UNITED STATES GRAND JURY CHARGES THAT:

COUNT 1

(Felon in Possession of a Firearm - Armed Career Criminal)

On or about December 26, 2012, in the State and District of Minnesota, the defendant,

**ZACHARI ALLEN KOZAR,**

having previously been convicted of crimes punishable by imprisonment for terms exceeding one year, that is,

Crime Committed and Case Number	Place of Conviction	Conviction Date (On or About)
Theft of Motor Vehicle K3-98-301101	St. Louis County, Minnesota	January 25, 1999
Theft of Motor Vehicle K6-99-100075	St. Louis County, Minnesota	October 18, 1999
Fleeing Police in a Motor Vehicle K6-99-101338	St. Louis County, Minnesota	October 18, 1999
3 <sup>rd</sup> Degree Burglary KX-99-100368	St. Louis County, Minnesota	October 18, 1999

**SCANNED**

FEB 04 2013

U.S. DISTRICT COURT ST. PAUL

FEB 04 2013

FILED  
 RICHARD D. SLETTEN, CLERK  
 JUDGMENT ENTD \_\_\_\_\_  
 DEPUTY CLERK \_\_\_\_\_

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Damage to Property K9-99-100622	St. Louis County, Minnesota	October 18, 1999
Escape from Custody K6-00-600597	St. Louis County, Minnesota	April 27, 2001
Fleeing Police in a Motor Vehicle K6-03-301254	St. Louis County, Minnesota	July 23, 2004
5 <sup>th</sup> Degree Drug Possession K6-03-301254	St. Louis County, Minnesota	July 23, 2004
5 <sup>th</sup> Degree Drug Possession HI-CR-05480	St. Louis County, Minnesota	February 26, 2008
5 <sup>th</sup> Degree Drug Possession VI-CR-07755	St. Louis County, Minnesota	February 26, 2008
3 <sup>rd</sup> Degree Drug Possession VI-CR-05-561	St. Louis County, Minnesota	December 7, 2009

did knowingly and unlawfully possess, in and affecting interstate and foreign commerce, a firearm, that is, a Steyr Mannlicher, Model M40, .40 caliber semi-automatic pistol, serial number 031674, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(e)(1).

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**COUNT 2**

(Possession With Intent to Distribute  
Methamphetamine and Crack Cocaine)

On or about December 26, 2012, in the State and District of  
Minnesota, the defendant,

**ZACHARI ALLEN KOZAR,**

did unlawfully, knowingly and intentionally possess with intent to  
distribute approximately 30 grams of a mixture and substance  
containing a detectable amount of methamphetamine and a mixture and  
substance containing a detectable amount of cocaine base ("crack  
cocaine"), both controlled substances, in violation of Title 21,  
United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT 3**

(Using and Carrying a Firearm During and in  
Relation to a Drug Trafficking Crime)

On or about December 26, 2012, in the State and District of  
Minnesota, the defendant,

**ZACHARI ALLEN KOZAR,**

during and in relation to a drug trafficking crime for which he may  
be prosecuted in a court of the United States, that is, the crime  
set forth in Count 2 of this indictment, which is hereby realleged  
and incorporated herein by reference, did knowingly and unlawfully  
use and carry a firearm, that is, a Steyr Mannlicher, Model M40,  
.40 caliber semi-automatic pistol, serial number 031674, in  
violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

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**FORFEITURE ALLEGATION AS TO FIREARM COUNTS 1 and 3**

If convicted of either Counts 1 or 3 of this indictment, the defendant,

**ZACHARI ALLEN KOZAR,**

shall forfeit to the United States any firearms, accessories and ammunition involved in or used in connection with such violations including, but not limited to:

- A. One (1) Steyr Mannlicher, Model M40, .40 caliber semi-automatic pistol, serial number 031674;
- B. One (1) nylon holster; and
- C. Two (2) .40 caliber magazines;

pursuant to Title 18, United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c).

**FORFEITURE ALLEGATION AS TO DRUG COUNT 2**

If convicted of Count 2 of this indictment, the defendant,

**ZACHARI ALLEN KOZAR,**

shall forfeit to the United States any property constituting, or derived from, any proceeds he obtained, directly or indirectly, as the result of this violation; any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of this violation, including, but not limited to:

- A. One (1) blue 4-door Humvee ("Hummer"), vehicle identification number 5GRGN22U95H116512;

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- B. One (1) Steyr Mannlicher, Model M40, .40 caliber semi-automatic pistol, serial number 031674;
- C. One (1) nylon holster; and
- D. Two (2) .40 caliber magazines;
- E. Eight Hundred Ninety-Six dollars (\$896.00) in United States Currency;

and any substitute for such property under Title 21, United States Code, Section 853(p); all pursuant to Title 21, United States Code, Section 853.

A TRUE BILL

\_\_\_\_\_  
UNITED STATES ATTORNEY

\_\_\_\_\_  
FOREPERSON